

**SEMINOLE COUNTY GOVERNMENT
BOARD OF ADJUSTMENT
AGENDA MEMORANDUM**

SUBJECT: REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 50 FT TO 15 FT FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (CALVIN MIDDLEBROOKS, APPLICANT).

DEPARTMENT: Planning & Development **DIVISION:** Planning

AUTHORIZED BY:  Earnest McDonald **CONTACT:** Earnest McDonald **EXT.** 7430

Agenda Date 08-22-03 **Regular** ☐ **Consent** ☐ **Public Hearing – 6:00** ☒

MOTION/RECOMMENDATION:

1. APPROVE THE REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 50 FT TO 15 FT FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (CALVIN MIDDLEBROOKS, APPLICANT); OR
2. DENY THE REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 50 FT TO 15 FT FOR A PROPOSED HOME IN THE A-1 (AGRICULTURE DISTRICT); (CALVIN MIDDLEBROOKS, APPLICANT); OR
3. CONTINUE THE REQUEST TO A TIME AND DATE CERTAIN.

(Commission District # 5 - McLain)

(Earnest McDonald, Principal Coordinator)

GENERAL INFORMATION	CALVIN MIDDLEBROOKS, APPLICANT 1591 GARDA AVENUE SANFORD, FL 32771	A-1 DISTRICT, LDC SECTIONS 30.127 (BUILDING SITE AREA REGULATIONS) & 30.128 (YARD REGULATIONS)
BACKGROUND / REQUEST	<ul style="list-style-type: none"> • THE APPLICANT DESIRES TO CONSTRUCT A SINGLE-FAMILY HOME ON A VACANT LOT THAT FAILS TO MEET THE MINIMUM LOT WIDTH AND AREA REQUIREMENTS OF THE A-1 DISTRICT. • ON JUNE 28, 1999, THE BOARD OF ADJUSTMENT GRANTED VARIANCES FROM MINIMUM LOT SIZE (43,560 SF TO 12,421 SF) AND MINIMUM WIDTH AT THE BUILDING LINE (150 FT TO 104 FT). • THE APPLICANT REQUESTS AN ADDITIONAL FRONT YARD SETBACK VARIANCE FROM 50 FT TO 15 FT TO ALLOW FOR THE CONSTRUCTION OF A PROPOSED HOME AND ASSOCIATED AMENITIES, AS DEPICTED ON THE PROPOSED SITE PLAN. 	
STAFF FINDINGS	THE APPLICANT HAS DEMONSTRATED A HARDSHIP, BASED ON THE STANDARDS FOR GRANTING VARIANCES:	

	<ul style="list-style-type: none">• THE SUBJECT LOT WAS CREATED AS A PART OF THE 1ST ADDITION TO SYLVAN LAKE, WHICH WAS PLATTED ON OCTOBER 17, 1925.• THE ADOPTION OF COUNTYWIDE ZONING IN 1960 BY SEMINOLE COUNTY SUBSEQUENTLY RENDERED THE LOT NONCONFORMING WITH RESPECT TO A-1 DISTRICT MINIMUM LOT SIZE AND WIDTH, THEREBY CREATING A HARDSHIP.• FOR THIS REASON, MINIMUM LOT SIZE AND WIDTH AT THE BUILDING LINE VARIANCES WERE APPROVED BY THE BOARD OF ADJUSTMENT IN 1999.• THE SIZE AND WIDTH OF THE SUBJECT PROPERTY ARE 12,480 SF AND 104 FT, RESPECTIVELY. THE PROPERTY SIZE AND WIDTH CLOSELY MIMICS R-1AAA (SINGLE-FAMILY DWELLING DISTRICT) REQUIREMENTS FOR MINIMUM LOT SIZE (13,500 SF) AND WIDTH (100 FT). FOR THIS REASON, STAFF BELIEVES SIMILAR SETACKS SHOULD APPLY AS STATED BELOW TO ENSURE COMPATIBILITY WITH THE TREND OF NEARBY SINGLE-FAMILY DEVELOPMENT: <table><tr><th colspan="4">MINIMUM SETBACKS</th></tr><tr><th></th><th>A-1 DISTRICT</th><th>R-1AAA DISTRICT</th><th>PROPOSED</th></tr><tr><td>FRONT YARD</td><td>50 FT</td><td>25 FT</td><td>15 FT</td></tr><tr><td>SIDE YARD (INTERIOR)</td><td>10 FT</td><td>10 FT</td><td>30 FT/10 FT</td></tr><tr><td>REAR YARD</td><td>30 FT</td><td>30 FT</td><td>30 FT</td></tr></table>	MINIMUM SETBACKS					A-1 DISTRICT	R-1AAA DISTRICT	PROPOSED	FRONT YARD	50 FT	25 FT	15 FT	SIDE YARD (INTERIOR)	10 FT	10 FT	30 FT/10 FT	REAR YARD	30 FT	30 FT	30 FT
MINIMUM SETBACKS																					
	A-1 DISTRICT	R-1AAA DISTRICT	PROPOSED																		
FRONT YARD	50 FT	25 FT	15 FT																		
SIDE YARD (INTERIOR)	10 FT	10 FT	30 FT/10 FT																		
REAR YARD	30 FT	30 FT	30 FT																		
STAFF RECOMMENDATION	BASED ON THE ABOVE FINDINGS, STAFF RECOMMENDS THE BOARD <u>DENY</u> THE REQUEST FOR FRONT YARD SETBACK VARIANCE FROM 50 FT TO 15 FT AND CONSIDER GRANTING A FRONT YARD SETBACK VARIANCE FROM 50 FT TO 25 FT. STAFF BELIEVES THIS WOULD ALLOW A SINGLE-FAMILY HOME TO BE CONSTRUCTED ON THE PROPERTY, AT THE MINIMUM VARIANCE NECESSARY TO ENSURE REASONABLE USE OF THE PROPERTY IS RETAINED.																				


COPY

**VARIANCE
APPLICATION TO THE SEMINOLE COUNTY
BOARD OF ADJUSTMENT**


APPLICANT: Calvin Middlebrooks
COMPLETE MAILING ADDRESS: 2568 Delbarton Ave Deltona, FL 32725
PHONE: WORK: 407-417-0746 HOME: 386-532-3832 FAX: _____
CELL PHONE: _____ Email: CMiddlebrooks@CFL.RR.COM
PROPERTY OWNER OF RECORD: Latara Clements
SITE OF REQUEST: 1591 Gorda Ave. Sanford FL 32771
STATEMENT OF HARDSHIP: Variance given to build on far less than 1 acre but with current setbacks house will not fit.
REQUEST: Front setback from 50 to 15 ft. Rear setback from 30 to 10 ft
LEGAL DESCRIPTION OF PROPERTY: Leg Lot 113 & 114 1st add to Sylvan Lake PB 4 Pg 18
TAX PARCEL ID NO. 31-19-30-501-0000-1130 + 1140
KNOWN CODE ENFORCEMENT VIOLATIONS ON PROPERTY: None

EACH APPLICATION WILL BE ACCOMPANIED BY THE FOLLOWING:

Applicant must be the property owner. Someone other than the property owner may act on the property owner's behalf at the public hearing; however, a letter of authorization from the property owner must be submitted to the County. One 8.5" X 14" site plan and application fee.

SIGNATURE OF APPLICANT:  DATE: _____

FOR OFFICE USE ONLY			
FEE: <u>150.00</u>	CK# _____	RECEIPT# _____	DATE _____ ZONING DISTRICT: <u>A-1</u>
FURTHER DESCRIBED AS: _____		LOT SIZE: _____	
PROCESSING:			
A. LEGAL AD TO NEWSPAPER _____ / _____		B. NOTICE TO PROPERTY OWNERS _____	
C. PLACARDS / NOTICE _____ / _____		D. PROJECT NO. <u>03 30000</u>	
E. BOARD ACTION / DATE _____ / _____		F. LETTER TO APPLICANT _____	
G. PUD SETBACKS _____			

INITIAL CONFERENCE 

BCC DISTRICT 5-McLain

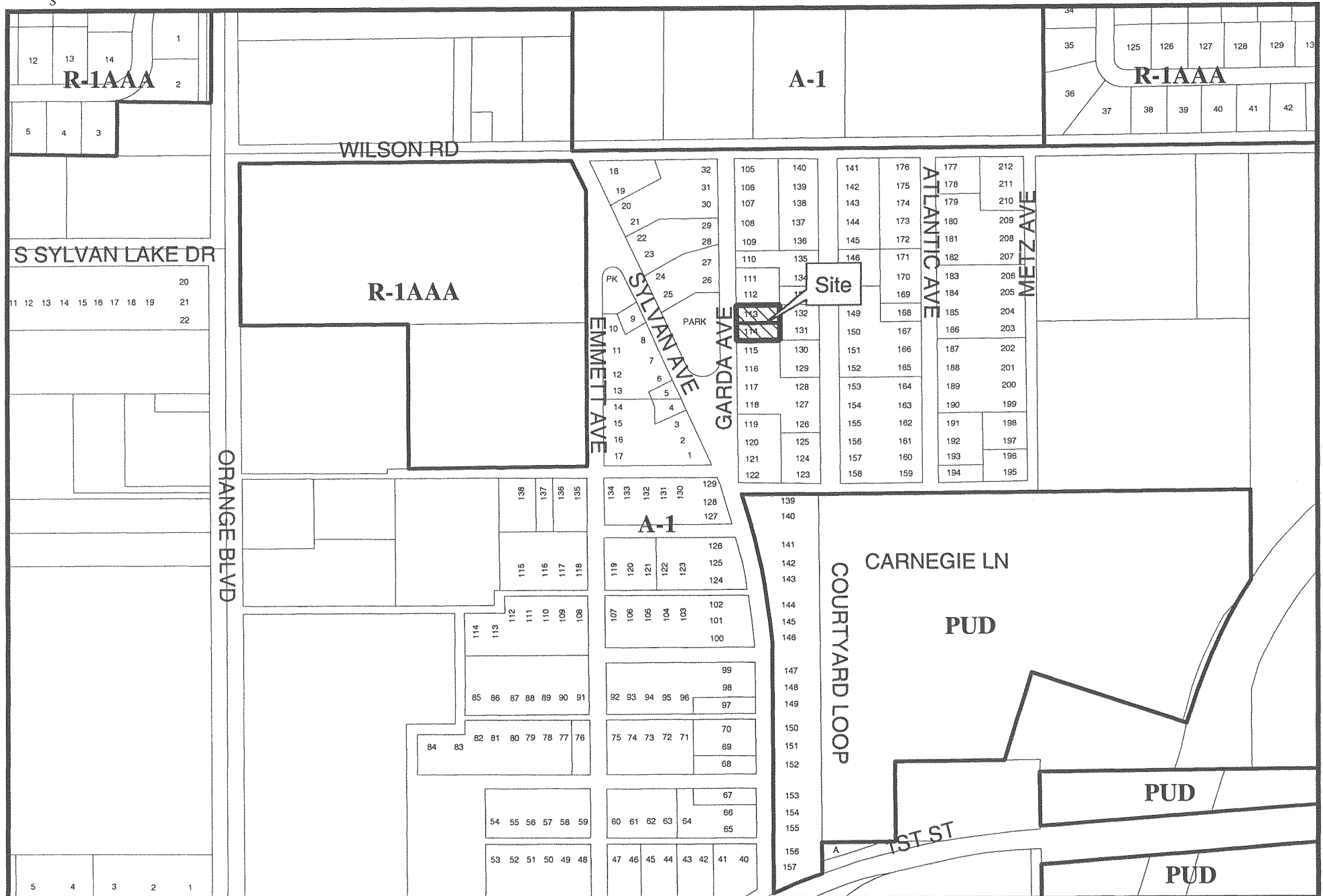
PLANNER _____

FILE NO. BV 2003-104

MEETING DATE August 25, 2003



Calvin Middlebrooks 1591 Garda Avenue



0 150 300 600 Feet